

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE MONTGOMERY,  
Plaintiff,  
v.  
M. CULUM, et al.,  
Defendants.

No. 2:22-cv-1156 DC CSK P  
ORDER

Plaintiff is a state prisoner proceeding pro se with this civil rights action seeking relief pursuant to 42 U.S.C. § 1983. On November 6, 2024, plaintiff filed a motion for leave to amend his complaint. (ECF No. 41.) Plaintiff's motion was not, however, accompanied by a proposed amended complaint. As a prisoner, plaintiff's pleadings are subject to evaluation by this Court pursuant to the in forma pauperis statute. See 28 U.S.C. § 1915A. Since plaintiff did not submit a proposed amended complaint, the Court is unable to evaluate it.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for leave to amend (ECF No. 41) is denied without prejudice.

Dated: November 13, 2024

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CHI SOO KIM  
UNITED STATES MAGISTRATE JUDGE